

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELIX HERRERA,

Defendant.

Case No. 1:02-CR-259

HON. RICHARD ALAN ENSLEN

ORDER

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This matter is before the Court on Defendant Felix Herrera's Motion for Reconsideration of this Court's July 18, 2005 Order (Dkt. No. 41) denying his Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255. Further briefing or argument on the Motion for Reconsideration is unnecessary.

Pursuant to Western District of Michigan Local Civil Rule 7.4(a), reconsideration is appropriate only when the movant "demonstrate[s] a palpable defect by which the Court and the parties have been mislead [*sic*] . . . [and] that a different disposition must result from the correction thereof." Upon review and for the reasons previously set forth, this Court finds that the Order properly denied Defendant's § 2255 Motion, and Defendants' Motion for Reconsideration fails to meet the standard set forth by Rule 7.4(a).

THEREFORE, IT IS HEREBY ORDERED that Defendant's Motion for Reconsideration (Dkt. No. 43) is **DENIED**.

DATED in Kalamazoo, MI:
August 11, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
UNITED STATES DISTRICT JUDGE